

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2015 SEP 15 PM 4:19

CLERK ()
SO. DIST. OF GA.

NORRIS R. MCCOY,

Plaintiff,

v.

CV 315-047

TIFFANY WOOTEN, Nurse; WILLIAM
SIKES, Lieutenant; KEVIN ASHLEY,
Sergeant; WILLIAM DANFORTH,
Warden,


Defendants.

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 11.) Petitioner alleges that he has stated a claim because the prison is required to obtain a court order before vaccinating him against tuberculosis under Washington v. Harper, 494 U.S. 210 (1990). Washington does not require a court order, see 494 U.S. at 229, and other courts have dismissed similar claims at the § 1915A screening stage. See Dunn v. Zenk, CV 07-2007, 2007 WL 2904170, at *3 (N.D. Ga. Oct. 1, 2007) (dismissing prisoner's § 1983 claim for forced administration of a tuberculosis screening test). Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** Plaintiff's complaint

for failure to state a claim upon which relief can be granted, and **CLOSES** this civil action.

SO ORDERED this 15th day of September, 2015, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Rodney A. Boudin". The signature is written in a cursive, flowing style with a large initial "R".

UNITED STATES DISTRICT JUDGE